

House
REPUBLICAN
Conference

FloorPrep

Legislative Digest

Wednesday, May 20, 1998

John Boehner
Chairman
8th District, Ohio

House Meets at 10:00 a.m. for Legislative Business

Anticipated Floor Action:

H.R. 3616—FY 1999 National Defense Authorization Act

**H.Res. 432—Sense of the House Concerning the President's Assertions of
Executive Privilege**

**H.Res. 433—Sense of the House Concerning the President's Cooperation with
Congressional Investigations**



H.R. 3616—FY 1999 National Defense Authorization Act

Floor Situation: The House will continue consideration of H.R. 3616 as its first order of business today. Yesterday, the House completed general debate and will now begin considering amendments under a structured rule. The rule makes a committee substitute amendment in order as base text and waives all points of order against the substitute. It makes in order 48 amendments, each debatable in the order listed below, including four amendments regarding U.S. policy toward the People's Republic of China. The rule allows an additional two hours of general debate on U.S.-China policy, which shall precede debate on the four related amendments. Unless otherwise specified, each amendment is debatable for 10 minutes. The rule provides an additional 30 minutes of general debate, equally divided between the chairman and ranking minority member of the National Security Committee, on the subject of assigning members of the armed forces to assist in border control activities. The chairman of the National Security committee may offer *en bloc* any of the amendments listed in Part D; any *en bloc* amendment will be debatable for 20 minutes. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, so long as it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

Summary: H.R. 3616 authorizes \$270.4 billion in new budget authority for the country's defense activities in FY 1999, \$394.9 million less than the president's request and approximately \$2.2 billion

more than last year's FY 1998 National Defense Authorization (*P.L. 105-85*). The bill is consistent with the discretionary defense spending limitations imposed by the 1997 Balanced Budget Act.

Overall, the bill authorizes \$70.7 billion (\$80 million less than the president's request) for military personnel, \$94.6 billion (\$896 million less than the president's request) for operations and maintenance and working capital funds, \$48.9 billion (\$346 million more than the president's request) for weapons procurement, \$36.2 billion (\$149 million more than the president's request) for research and development, \$8.2 billion (\$450 million more than the president's request) for military construction and family housing, and \$11.9 billion (\$401 million less than the president's request) for the defense related programs of the Department of Energy.

Among major programs, the bill authorizes (1) a 3.6 percent military pay raise (0.5 percent more than the president's request); (2) \$2.7 billion to procure 27 Super Hornets (\$204.7 million and three aircraft less than the president's request); (3) \$735.4 million for eight V-22 tiltrotor aircraft (\$64 million and one more aircraft than the president's request); (4) \$2.8 billion (\$5 million less than the president's request) for three *Arleigh Burke* destroyers; (5) \$3.8 billion (\$132.8 million more than the president's request) for the Ballistic Missile Defense Organization, as well as \$950.5 million for National Missile Defense (NMD) and \$821.7 million for the Theater High Altitude Air Defense (THAAD) program; (6) \$635 million (\$72 million more than the president's request) for the construction of 40 new barracks and dormitories within the United States and to support troops deployed abroad; (7) \$4.3 billion (\$46.6 million less than the president's request) for DOD environmental programs.

The bill also (1) limits funding to \$1.86 billion for operations in Bosnia during FY 1999, and requires the Defense Secretary to submit a report to Congress by April 1, 1999, projecting the estimated costs of the Bosnia deployment for the remainder of the fiscal year; (2) requires each of the military services to assign male and female recruits to same-gender units at the small-unit level during basic training, and house male and female recruits in separate buildings beginning April 15, 1999; (3) repeals the prohibition on the use of landmines by U.S. military forces; and (5) extends military "exemplary conduct" requirements to the president, as commander in chief, and the Defense Secretary. CBO estimates that enactment will result in discretionary outlays of \$415.8 billion over the next five years. H.R. 3616 was introduced by Mr. Spence and Mr. Skelton on April 1, 1998, and was ordered reported by the National Security Committee by a 50-1 vote on May 6, 1998.

Views: The Republican leadership supports passage of the bill. An official Clinton Administration viewpoint was unavailable at press time.

Amendments: As stated above, the rule makes 48 amendments in order, each debatable in the order listed below. Unless otherwise specified, each amendment is debatable for 10 minutes.

— *China Policy Amendments* —

The rule provides an additional two hours of debate on the subject of U.S. policy toward the People's Republic of China, which will precede debate on the following four amendments.

Mr. Spence and Mr. Gilman will offer an amendment to express the sense of Congress that U.S. business interests should not be placed over U.S. national security interests, and that the U.S. should not enter into certain new agreements at the upcoming presidential summit in China, including sup-

port for Chinese membership in the Missile Technology Control Regime, granting a blanket waiver of sanctions imposed in the wake of the Tiananmen massacre, allowing an increase in satellite space launches from China, or entering into any new agreements involving space or missile-related technology. The amendment also expresses the sense of Congress that the decision earlier this year to allow the export to China of satellite technology was not in the national interest given the ongoing criminal investigation of a similar transfer in 1996, and that this investigation should proceed in a timely manner. *Staff Contact: David Trachtenberg, x6-0532; and Walker Roberts, x5-5021*

Mr. Bereuter will offer an amendment to prohibit U.S. citizens from participating in any investigation of a failed Chinese rocket launch unless (1) a qualified U.S. government representative also participates in the investigation, and (2) the U.S. State Department issues a license to the person authorizing such participation. In 1996, a Chinese rocket carrying a satellite built by the Loral Corporation exploded shortly after lift-off. Loral and Hughes Electronics participated in a review of the failure, and provided the Chinese government with their analysis of what went wrong. The analysis reportedly discussed highly sensitive aspects of the rocket's guidance and control systems, an area of weakness in China's missile programs. Amendment sponsors argue that the transfer of this information has a direct impact on U.S. national security. *Staff Contact: Mike Ennis, x6-7830*

Mr. Hefley and Mr. Ryun will offer an amendment to prohibit U.S. companies from exporting missile technology and equipment to the People's Republic of China. Supporters argue that this technology and equipment, whether used for direct attack missiles or satellite launches, compromises the United States' national security. *Staff Contact: Rob Smith (Hefley), x5-4422; and Valerie Shank (Ryun), x5-6601*

Mr. Hunter will offer an amendment to prohibit the export or re-export of any U.S. satellites to the People's Republic of China. *Staff Contact: Vickie Middleton, x5-5672*

— Part B Amendments —

Ms. Harman and Ms. Lowey will offer an amendment, debatable for 40 minutes, to repeal a provision of law enacted in the FY 1996 Defense Authorization bill which bars women serving in the military overseas from using their personal funds to obtain abortions in U.S. military hospitals. Proponents argue that the amendment does not permit taxpayer-funded abortions at military hospitals, nor does it compel any doctor who opposes abortion as a matter of conscience to perform an abortion. *Staff Contact: Maria Alongi, x3-0766*

Messrs. Gilman, Danner, Spence, and Rohrabacher may offer an amendment, debatable for 40 minutes, to state that no provision under the Kyoto Protocol will restrict the procurement, training, operation or maintenance of U.S. Armed Forces. Last December, the Clinton Administration approved a U.N. climate change treaty that requires the U.S. to make significant cuts in carbon dioxide emissions by the year 2010. The DOD has recently estimated that a 10 percent cut in its emissions could trigger the following cuts in the readiness of U.S. armed forces: (1) cuts in armored forces training by 328,000 miles per year, (2) cuts in naval steaming days by 2,000 days per year, and (3) cuts in Air Force flying hours by 210,000 hours. *Staff Contact: Mark Kirk (Gilman), x5-5021*

Mr. Hefley will offer an amendment, debatable for 60 minutes, to prohibit any Defense Department funds from being used to assign or deploy any member of the United States Armed Forces to duty

with the United Nations Rapidly Deployable Mission Headquarters. **Staff Contact: Rob Smith, x5-4422**

Messrs. Watts, Moran (VA), and Thornberry will offer an amendment, debatable for 40 minutes, to authorize the DOD to conduct a demonstration program to enroll Medicare-eligible military retirees in the Federal Employees Health Benefits Program (FEHBP). The cost of the demonstration program is offset by the sale of National Defense Stockpile materials. Proponents argue that this amendment will help provide a portion of the military retiree community with affordable, accessible, high-quality health care by allowing them to join the FEHBP. This demonstration project features (1) a three-year program located at 6-10 sites around the country, (2) coverage for Medicare-eligible military retirees (age 65 and above), and (3) costs capped at \$100 million per year. **Staff Contact: Dave Silverstein (Watts), x5-6165; Mike Brown (Moran), x5-4376; and Kyle Ruckert (Thornberry), x5-3706**

— Part C Amendments —

The rule provides an additional 30 minutes of general debate on the subject of assigning members of the armed forces to assist in border control activities, which shall precede debate on the following two amendments. Each amendment is debatable for 10 minutes.

Mr. Traficant will offer an amendment to authorize the Defense Secretary to assign members of the Armed Forces, under certain circumstances and subject to certain conditions, to assist the Immigration and Naturalization Service and the Customs Service in monitoring and patrolling the U.S. borders to stop the threat of illegal aliens and drug traffickers. Proponents argue that according to official estimates, between five and seven tons of illegal drugs are smuggled across the border every day, and thousands of aliens are violating federal immigration laws and crossing the borders illegally. **Staff Contact: Brian Clark x5-5261**

- * **Mr. Reyes** will offer an amendment to limit the scope of the Traficant amendment. The Reyes amendment requires the Attorney General or the Secretary of the Treasury to submit a formal request to the Secretary of Defense detailing (1) activities in which the members of the armed forces will participate, (2) the duration of their mission, and (3) the liability assumed by the Department of Defense upon assignment of armed forces personnel. The request also must detail the cost of the deployment, the military value of such activities, and the beneficial and detrimental effect of these assignments on military training, readiness levels, military preparedness, and overall combat effectiveness of the Armed Forces. The amendment states that U.S. soldiers may perform only reconnaissance missions, which is the current scope of their role on the border. No assignments may continue after September 30, 2001. **Staff Contact: Isaac Reyes, x5-4831**

— Part D Amendments —

Mr. Bryant will offer an amendment to clarify a previously enacted measure that codified the rights of states to tax income earned by federal employees. Specifically, the bill allows federal employees who work at locations that straddle state lines to be taxed by the states in which they list their

residency. The measure is intended to affect workers who are employed by the federal government at facilities which are located in two bordering states (because the facility was built across state lines). Workers at Fort Campbell, Kentucky (which is located in both Kentucky and Tennessee), and hydroelectric workers along the Columbia River (located between Washington and Oregon) and the Missouri River (located between South Dakota and Nebraska) will be assessed taxes on their income only in the states where they reside, and not in both the home and employment states. *Staff Contact: Mark Johnson, x5-2811*

Mr. Cunningham will offer a technical amendment to make minor changes to a provision regarding hunting by disabled sportsmen on Department of Defense facilities. *Staff Contact: Tim Charters, x5-5453*

Mr. Underwood will offer an amendment to establish a specific time line to a provision in the bill which requires a report from the Defense Secretary to certify that a system to recover costs incurred by the Department of Defense from commercial carriers has been implemented. The amendment requires that the report be submitted within six months of enactment. *Staff Contact: Nick Minella, x5-1188*

Mr. Traficant will offer an amendment to modify the time requirements by which the DOD must report to Congress on procurement of foreign goods. Specifically, it changes Buy America Act reporting deadlines from the current 90 days to 60 days whenever DOD purchases goods from non-U.S. sources. *Staff Contact: Brian Clark, x5-5261*

Mr. Traficant will offer an amendment to mandate that any flag presented to the family of a deceased service member by the Department of Veterans Affairs be wholly produced in the United States. *Staff Contact: Brian Clark, x5-5261*

Mr. Traficant will offer an amendment to transfer the title of the Naval and Marine Corps facility located at 315 East Laclede Avenue in Youngstown, Ohio, to the City of Youngstown. *Staff Contact: Brian Clark, x5-5261*

Mr. Bartlett and Mr. Solomon will offer an amendment to require the Inspector General of the Department of Defense to investigate the grounding of the 174th Fighter Wing of the New York Air National Guard and subsequent dismissal, demotion, or reassignment of 12 decorated combat pilots of that wing. *Staff Contact: Scott Plecs (Bartlett), x5-2721; and Jim Doran (Solomon), x5-7985*

Mr. Frank and Mr. Sisisky will offer an amendment to cap the cost to the U.S. of NATO expansion at \$2 billion over a 13-year period. Proponents of the amendment argue that this amount is the upper limit of what the administration has said NATO expansion should cost the United States. *Staff Contact: Dan McGlinchey (Frank), x5-5931*

Mr. Hobson will offer an amendment to require that (1) military physicians are granted unrestricted licenses (meaning that they are not subject to limitations on the scope of their practice ordinarily granted to other physicians for a similar specialty by the jurisdiction granting the license) and (2) military officials ensure that military physicians complete continuing medical education requirements applicable to the physician. *Staff Contact: Kenny Kraft, x5-4324*

Ms. Maloney will offer an amendment to reduce the retirement pay for enlisted soldiers who are reduced in grade before retirement. Under current law, senior enlisted soldiers who began serving after 1980 cannot receive reduced retirement pay as the result of a court-martial sentence or other administrative process. Proponents of the amendment site the recent case against Sergeant Gene McKinney in which he was court-martialed and demoted. Under current law, the Army cannot reduce his retirement benefits. *Staff Contact: Mark Guiton, x5-7944*

Mr. Markey will offer an amendment to preserve the separation between civilian and military nuclear programs by barring any commercial nuclear reactor from being used to produce tritium for nuclear explosives. Tritium is a radioactive isotope of hydrogen used to enhance the explosive yield of a thermonuclear weapon. *Staff Contact: Nicole Rutberg, x5-2836*

Mr. Stenholm and Mr. Thune will offer an amendment to require that the Department of Defense submit to Congress, no later than November 1, 1998, a proposal to establish an appeal process in cases of ClaimCheck denials of claims for health care services submitted by civilian providers. Currently, no process exists to appeal ClaimCheck denials even though the Department of Defense has acknowledged that ClaimCheck software in some cases contradicts department policy. The Department of Defense has indicated an interest in establishing a formal appeal process; however, no concrete steps toward establishing such a process have been taken. Proponents argue that this amendment simply requires the department to prepare a proposal to establish an appeals process but does not dictate the nature of the process. TRICARE, the nation's military managed care program, requires that its regional contractors use a computer software program known as ClaimCheck, a bundling system similar to the Correct Coding Initiative used by the Medicare program which "bundles" claims for multiple services performed during a single visit to a health care provider. When claims are bundled, services considered to be incidental to the primary service are reimbursed at a lower rate. *Staff Contact: Julie Turner (Stenholm), x5-6605; and John Weaver (Thune), x5-2801*

Mr. Hall (OH) will offer an amendment to require the Secretary of Defense to initiate a study and recommend minimum requirements to maintain a defense technology base that is sufficient, based on both historical developments and future projections, to project superiority in air and space weapons systems and information technology. The amendment expresses the sense of Congress that (1) to ensure sufficient financial resources are devoted to emerging technologies, a goal of at least 10 percent of funds available under research, development, test, and evaluation for the Army, Navy, and Air Force should be dedicated to science and technology; (2) to ensure an appropriate long-term focus for investments, a sufficient percentage of science and technology funds should be directed toward new technology areas, and annual reviews should be conducted for ongoing research areas to ensure that those funded initiatives are either integrated into acquisition programs or discontinued; and (3) the military departments should take appropriate steps to ensure that sufficient numbers of officers and civilian employees in each department hold advanced degrees in technical fields. *Staff Contact: Al Griggs, x5-6465*

Mr. McKeon will offer an amendment to encourage the existing cooperative working relationship between the Air Force Flight Test Center and the NASA Dryden Flight Research Center, both of which are located at Edwards Air Force Base. Proponents of the amendment argue that this will achieve cost savings by further reducing duplicative functions performed by both entities. In May 1995, the Air Force Flight Test Center and NASA-Dryden Flight Research Center signed a Memorandum of Understanding to develop and sustain a working relationship to improve service and lower costs for both parties. To date, the alliance has allowed the two organizations to save \$1.83

million and cumulatively avoid over \$14 million in duplicative expenses. Further cost savings, however, are currently limited because of statutory and administrative regulations which prohibit a more efficient operation between the two entities. *Staff Contact: Greg Campbell, x5-1956*

Mr. Hunter will offer an amendment to place U.S. satellites on the U.S. Munitions List and make their export subject to licensing requirements established by the Arms Export Control Act. *Staff Contact: Vickie Middleton, x5-5672*

Mr. Spence will offer an amendment to require the Arms Control and Disarmament Agency (or the State Department, should ACDA become part of the Department of State) to provide to Congress classified summaries of arms control developments, including information on the activities of various arms control treaty compliance forums. *Staff Contact: David Trachtenberg, x6-0532*

Mr. Sessions will offer an amendment to require military departments to develop and submit to Congress a schedule for implementing inventory practices identified by the Defense Secretary as being the best commercial inventory practices for acquiring and distributing supply items consistent with military requirements. Proponents of the amendment note that for many years, the General Accounting Office (GAO) has applauded the Department of Defense's effort to implement the best inventory practices, but has often noted that more opportunities exist to better manage its inventory and achieve substantial savings. For example, GAO maintains that the Defense Department continues to manage its hardware inventory using outdated and inefficient business practices that create unnecessary inventory levels, provide poor customer service, generate excess and obsolete inventory, and cost approximately \$1 billion per year to manage and distribute. *Staff Contact: Robert Shea, x5-2231*

Mr. Gibbons will offer an amendment to require the Commerce Secretary to release to the Director of the Central Intelligence, the Defense Secretary, or the Energy Secretary any information held by the Commerce Department regarding (1) export licenses and information on exports that were carried out under an export license issued by the Department of Commerce, and (2) information collected by the Commerce Department on exports from the U.S. that were carried out without an export license. Under the amendment, the Commerce Secretary must transmit such information to the official making the request within five days of receiving the inquiry. *Staff Contact: Greg King, x5-6155*

Mr. Gilman will offer an amendment to establish reporting requirements for nuclear exports comparable to those existing for conventional arms. The amendment requires that, before issuing a license for certain nuclear exports, the executive branch must submit to Congress a report describing the export and its basis for approval. Congress then has 30 calendar days to review the proposed license and may utilize expedited procedures provided under the amendment in both the House and Senate to enact a resolution of disapproval. The amendment applies to only certain types of exports (reactors, fuel, significant components and technology transfers, including retransfers) and excludes nuclear exports to OECD countries. *Staff Contact: Walker Roberts, x5-5021*

Mr. Hunter will offer an amendment to allow federal agencies to apply cost-saving streamlined acquisition procedures for all purchases with a value of less than \$10,000. The amendment also allows the Defense Department to use statistical sampling procedures to verify receipt and acceptance of goods and services bought by the department. *Staff Contact: Vickie Middleton, x5-5672*

Messrs. Hunter, Jones, and Smith (TX) will offer an amendment to express the sense of Congress that the unintended consequence of prohibiting military homeowners, who are serving away from their main residence on active duty, from capitalizing on the capital gains relief for homeowners provided in the 1997 Taxpayer Relief Act must be addressed. *Staff Contact: Vickie Middleton (Hunter), x5-5672*

Mr. Kennedy (RI) will offer an amendment to add certain individuals from other nations and indigenous groups to the list of those who contributed combat forces during military operations conducted in Southeast Asia during the Vietnam conflict. *Staff Contact: Carol Axten, x5-4911*

Mr. Weldon (FL) and Ms. Capps will offer an amendment to protect funding for the two national launch ranges in California (Vandenberg Air Force Base) and Florida (Cape Canaveral Air Station) which support DOD and NASA space launch activities. The amendment does not authorize any additional funding or recommend changes to the funding levels under the bill. Proponents argue that it simply ensures that the funding approved by Congress will be fenced off and will be obligated only for operating, maintaining, and upgrading of the two ranges. *Staff Contact: Brian Chase (Weldon), x5-3671*

Mr. Barr will offer an amendment to establish a counter-drug center in Panama in anticipation of the closure of all U.S. military installations in that country by December 1999. The amendment requires the Secretary of State and the Defense Secretary to resume negotiations with the government of Panama to establish a counter-drug center to be used by the armed forces. Negotiations with the Panamanian government discontinued in December 1997 and have not resumed since that time. *Staff Contact: Sarah Dumont, x5-2931*

Mr. Hastings will offer an amendment to direct the Energy Secretary to establish an Office of River Protection at Hanford Reservation in Richland, Washington, to use existing resources to establish a separate management unit to conduct a five-year study on the Hanford tank “privatization” program. The Department of Energy is proceeding with plans to privatize the effort to treat 54 million gallons of nuclear waste stored at Hanford site in Washington State. Proponents argue that other large-scale projects at the Energy Department have been plagued with management problems, cost overruns, and scheduled delays. *Staff Contact: Doug Riggs, x5-5816*

Mr. Hastings will offer a technical amendment to allow a federal facility to be used as a multi-agency training center. Congress has authorized and appropriated funding in prior years for a safety training facility – HAMMER – for workers at nuclear waste cleanup sites. Now that the facility is operational, other federal agencies have expressed an interest in sending their workers to HAMMER for safety training. Such training would use existing resources. But to do so, the Energy Secretary must first be allowed to enter into partnership agreements and allow the Treasury to collect payments from non-federal entities who wish to use the facility. *Staff Contact: Doug Riggs, x5-5816*

Ms. Fowler and Ms. Harman will offer an amendment to (1) strike a provision in the bill which directs the secretaries of the Army, Navy, and Air Force to separate recruits by gender at the small-unit level (e.g., platoons) during basic training and house the recruits in separate barracks throughout basic training (the provision was adopted pursuant to the recommendations of the Kassebaum-Baker advisory panel); and (2) add a provision to require that a congressional commission on military training, established last year specifically to study gender issues, include an evaluation of the

Kassebaum-Baker recommendations in its final report to Congress. The amendment directs the Defense Secretary to pursue the physical separation of male and female recruit housing to the *maximum extent practical* during basic training. The amendment thus ensures that the military services retain their current ability to determine how best to train their recruits and obviates military construction costs of approximately \$166.5 million that the Army, Navy, and Air Force would otherwise incur in meeting the bill's requirements. **Staff Contact: Bill Klien (Fowler), x5-2501**

Mr. Bishop will offer an amendment to allow armed services personnel who are members of the Joint Task Force Full Accounting teams, which are serving in Southeast Asia to seek a full accounting of MIAs, to receive hardship duty pay. The amendment effectively allows each of the members serving on the task force to receive up to \$300.00 extra per month. Proponents of the amendment note that these task force members travel to remote parts of Vietnam, Laos, Cambodia, and North Korea to look for and recover the bodies of over 50,000 American MIAs. **Staff Contact: Roxanne A. Burnham, x5-3631**

Mr. Bilbray will offer an amendment to express the sense of Congress in support of the Department of Defense New Parent Program and request a report from the Defense Secretary detailing the status of implementing the program in all of the military services and the funding levels for the program since 1994. The New Parent Support Program (NPSP) works in conjunction with DOD's Family Advocacy Program (FAP) to respond to the challenge of reducing family violence within the military community. Proponents of the amendment note that the NPSP program started as a pilot program at Camp Pendleton and Children's Hospital in San Diego and has been remarkably successful. **Staff Contact: Paige Hinds Anderson, x5-2040**

Mr. Weldon (PA) will offer an amendment to authorize \$53 million for the DOD portion of the Multi-Agency Next Generation Internet Program and specifies that it may only be authorized through the Defense Authorization bill. **Staff Contact: Nancy Lifset x5-2011**

Mr. Weldon (PA) and Mr. Skelton will offer an amendment to direct the coordination and effectiveness of federal, state, and local weapons of mass destruction preparedness efforts. Specifically, the amendment (1) requires a presidential report on federal, state and local actions to develop an integrated program on weapons of mass destruction (WMD) preparedness by January 31, 1999, (2) requires additional WMD program information in the annual OMB counterterrorism/antiterrorism report, (3) authorizes a pilot test of FBI assistance to federal, state, and local agencies in performing local threat and terrorist risk assessments to determine training and equipment requirements, as recommended by GAO, and (4) establishes an advisory commission to assess domestic response capabilities for terrorism involving weapons of mass destruction, as well as deficiencies in current federal training efforts. **Staff Contact: Nancy Lifset x5-2011**

Mr. Weldon (PA) will offer an amendment to express the sense of Congress that the president should instruct the secretaries of Defense, State, and Energy, and the EPA administrator, to assess the feasibility of whether the U.S should encourage the establishment of a privately-funded international project to facilitate the exchange of information related to advanced nuclear waste remediation technologies. **Staff Contact: Nancy Lifset x5-2011**

Mr. Weldon (PA) and Mr. Spratt will offer an amendment to require the Defense Secretary to (1) select an alternative contractor as a potential source to develop and produce interceptor missiles for the Theater High-Altitude Area Defense (THAAD) system; (2) adjust authorization levels for THAAD

Demonstration and Validation and THAAD Engineering and Manufacturing Development, and (3) establish an appropriate cost-sharing arrangement with the current THAAD missile prime contractor for flight test failures. **Staff Contact: Nancy Lifset x5-2011**

Mr. Spence will offer an amendment to revise section 1211 of the FY 1998 National Defense Authorization Act (*P.L. 105-85*) concerning the export of supercomputers. The amendment requires that an objection to a supercomputer export under section 1211 be executed by an individual at the assistant secretary level within the office of the Under Secretary of Defense for Policy. The amendment also requires the Secretary of Defense to ensure that DOD procedures maximize the ability of the department to issue an objection within the 10-day time limit required by the FY 1998 National Defense Authorization Act. This amendment responds to implementing regulations for section 1211 promulgated by the Department of Commerce that require the objections under section 1211 be made at the Under Secretary level. Proponents of the amendment argue that attention at that level within the Department of Defense is unnecessary since the objection would not cause the export to be denied, but would only require the filing of an export license application. The Commerce Department regulation could make it very difficult for export licensing officers within DOD to work the objection through the department's bureaucracy within the nine days response period. **Staff Contact: Peter Berry, x5-3040**

Mr. Weldon (PA) and Mr. Pickett will offer an amendment to increase the total amount authorized for basic research and applied research in the bill from \$3 billion to \$4.2 billion. **Staff Contact: Nancy Lifset x5-2011**

Mr. Riley will offer an amendment to (1) transfer oversight of the program for assessing alternative technologies for demilitarizing assembled chemical weapons from the Under Secretary of Defense for Acquisition and Technology to the Secretary of the Army; (2) authorize \$12.6 million for the program in FY 1999; and (3) provide guidance for implementing a follow-on project to utilize alternative technologies for which feasibility has been successfully demonstrated. The FY 1997 Defense Appropriations Act (*P.L. 104-208*) allocated \$40 million for the Assembled Chemical Weapons Assessment (ACWA) program to conduct an assessment of alternative technologies for the disposal of assembled chemical munitions. Proponents of the amendment argue that the amendment will continue the ACWA program beyond the demonstration phase. Last year, the United States entered into a chemical weapons treaty that requires all chemical stockpile weapons to be destroyed by December 2007. This means that locations such as Anniston Army Depot, which is near a heavily populated area and stores one of the United State's largest stockpiles of chemical weapons (2,254 tons) would be in danger of being contaminated if disposed of by high temperature incineration. **Staff Contact: Dan Gans, x6-8343**

Mr. Porter will offer an amendment to allow the Secretary of the Army to sell 14 acres of the former Ft. Sheridan, Illinois, to the city of Lake Forest, Illinois, at fair market value for use as a municipal services center. **Staff Contact: Julie Debolt, x5-4835**

Mr. Doolittle will offer an amendment to require the Defense Secretary to study the retention of personnel in the combat forces of the Army, Navy, Air Force, and Marines. The report must examine personnel retention data from FY 1989 through FY 1998. The Defense Secretary must report back to Congress with the information 90 days after enactment. Proponents of the amendment argue that the impetus for this study stems from the growing concern regarding low retention rates of experienced personnel. **Contact: x5-2511**

Additional Information: See *Legislative Digest*, Vol. XXVII, #13, Pt. II, May 17, 1998.



H.Res. 432—Expressing the Sense of the House Concerning the President’s Assertion of Executive Privilege

Floor Situation: The House will consider H.Res. 432 sometime today. Last Friday, the Rules Committee granted a rule that provides one hour of general debate, equally divided and controlled by the majority leader or his designee and an opponent. The rule further provides that the previous question will be considered as ordered on the resolution to final adoption without an intervening motion.

Summary: H.Res. 432 expresses the sense of the House that all documents, including legal memos, briefs, and motions related to the president’s claims of executive privilege—under which he has refused to release such documents or information to investigators—should be made immediately and publicly available. H.Res. 432 was introduced by Mr. DeLay and was reported by the Rules Committee.

Additional Information: See *Legislative Digest*, Vol. XXVII, #13, May 15, 1998.



H.Res. 433—Sense of the House Concerning the President’s Cooperation with Congressional Investigations

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Summary: H.Res. 433 urges the president to immediately call on friends, former associates and appointees, and any other related individuals who have asserted Fifth Amendment privileges under the U.S. Constitution in order to avoid providing testimony regarding congressional campaign finance investigations, to now come forward and fully testify before those congressional committees currently involved in campaign finance investigative proceedings. The resolution further states that the president should use all legal means at his disposal to compel those who have left the U.S. to return and fully cooperate with the investigation. H.Res. 433 was introduced by Mr. Solomon and was reported by the Rules Committee.

Additional Information: See *Legislative Digest*, Vol. XXVII, #13, May 15, 1998.

